

U.S. PTO Cust. No. 25280

09/557,643

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DAC
Case No. 2129A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Shulong Li
Serial Number: 09/557,643
Filed: 04/25/00
For: LOW PERMEABILITY AIRBAG CUSHIONS
HAVING FILM COATINGS OF EXTREMELY
LOW COATING LEVELS

Group Art Unit: 1771
Examiner: A. Singh

RECEIVED

NOV 26 2003

OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to timely reply to a Final Rejection within the statutory period of three months from the mailing date of April 22, 2003. The date of abandonment is the day after the expiration date of the period set for reply, July 23, 2003.

11/25/2003 HDENESS: 00000011 040500 09557643

01 FC:1801 770.00 DA

11/25/2003 HDENESS: 00000011 040500 09557643

02 FC:1453 1180.00 DA

PETITION

Applicant hereby petitions for revival of this application due to unintentional failure to timely reply to the aforementioned Final Rejection. Applicant thus concurrently submits a Request for Continued Examination (in duplicate) as well as a Terminal Disclaimer (also in duplicate), as complete response to the outstanding Final Rejection.

STATEMENT


The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional. Applicant did not intend for a reply not to be timely filed. In fact, to the contrary, Applicant properly submitted a response to the aforementioned Final Rejection on June 3, 2003 (a copy of which as well as the returned postcard from the PTO accompany this submission in the Appendix to this Petition), which was apparently never matched with the application file at the PTO. Applicant awaited a reply himself from the Office after such a timely submission but none was forthcoming until he was apprised of the abandonment for failure to respond. To date, after inquiring with the Examiner handling this application, there is no indication that this properly and timely filed submission has been entered within the application file for consideration by the Office at all. IN any event, it is evident that there was no intention for this application to be abandoned.

PETITION FEES

The Commissioner is herein authorized to deduct the \$1,330.00 Fee, as well as any other amounts required to have this petition properly considered, from Deposit Account 04-0500. Applicant also hereby requests reimbursement of such an amount due to the failure of the Office to properly enter the previously submitted timely reply to the outstanding Final Rejection within this application, thereby misleading the Applicant into believing that a favorable response was forthcoming from the Office, rather than a Notice of Abandonment. A copy of this Petition is attached as well for such purpose.

Respectfully submitted,

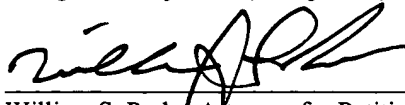
November 20, 2003



William S. Parks
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Registration Number 37,528
Spartanburg, SC 29304
Telephone Number: (864) 503-1537

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to The Commissioner of Patents, Washington, DC 20231, on November 20, 2003, along with (1) a Request for Continued Examination in response to the outstanding Final Rejection (in duplicate); (2) a Terminal Disclaimer in response to the outstanding Final Rejection (in duplicate); and (3) a postcard receipt.



William S. Parks, Attorney for Petitioner (Applicants)

APPENDIX

*Response to Final Rejection Filed on June 3, 2003
Plus a copy of the Post Card Receipt Stamped by the PTO*



Official date stamp of the United States Patent and Trademark Office hereon acknowledges receipt of: Response to Final Rejection and 2 Terminal Disclaimers to Obviate a Double Patenting Rejection (37 CFR § 1.321 (c)) in duplicate

RE: U. S. Patent Application Serial No.: 09/557,643

Applicant: Li

Filed: April 25, 2000

Title: Low Permeability Airbag Cushion Having Extremely Low Coating Levels

Case Number: 2129A

Attorney: William S. Parks

Date: June 3, 2003



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